

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:09-00113-01

TAI SHEPPERSON

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On February 8, 2018, the United States of America appeared by Monica D. Coleman, Assistant United States Attorney, and the defendant, Tai Shepperson, appeared in person and by his counsel, Andrew J. Katz, for a hearing on the petition on supervised release submitted by United States Probation Officer Lilla Adkins. The defendant commenced a five-year term of supervised release in this action on March 13, 2017, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on January 29, 2010.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed controlled substances as evidenced by a positive urine specimen submitted by him on September 15, 2017, for cocaine; a positive urine specimen submitted by him on September 29, 2017, for cocaine and marijuana, the defendant having signed a voluntary admission form confirming his use of each; positive urine specimens submitted by him on October 3, 11, 19 and 27, and November 14, 2017, for marijuana; a positive urine specimen submitted by him on November 30 and December 4, 2017, for cocaine and marijuana; a positive urine specimen submitted by him on December 5, 2017, for marijuana, the defendant having signed a voluntary admission form confirming his use of cocaine and marijuana; and a positive urine specimen submitted by him on December 13, 2017, for cocaine and marijuana; (2) the defendant failed to provide urine specimens as instructed on June 23, July 31, August 14 and 28, September 18 and November 27, 2017; (3) the defendant failed to report for individual substance abuse counseling as instructed on November 15, 22 and 29, 2017; and (4) the defendant failed to report for intensive outpatient programming as instructed on November 22,

2017, all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

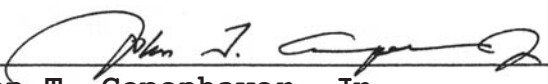
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FOUR (4) MONTHS, to be followed by a term of fifty-six (56) months of supervised release imposed as to each Counts One and Two, to run concurrently, and a term of thirty-two (32) months of supervised release imposed as to each Counts Three, Four and Five, to run concurrently, with all terms of supervised release

to run concurrently with each other, upon the standard conditions of supervised release now in effect in this district as promulgated by the Administrative Office of the United States Courts (National Form AO 245B), the standard conditions as set forth in Local Rule 32.3 and the special condition that he participate in and successfully complete the 9 to 12 month residential drug treatment program at Recovery Point in Parkersburg, West Virginia.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: February 15, 2018



John T. Copenhaver, Jr.
United States District Judge